

also made available on the White House Press Office Actuality Line.

Christmas Greeting to the Nation

December 24, 2000

The President. On this holiest of holidays, Hillary and I want to wish all of you a very Merry Christmas. Tonight we gather with family and friends to reflect on our good fortune, rejoice in memories of the year past, and look forward with hope to the days ahead.

The First Lady. From our family to yours, Merry Christmas, Happy New Year, and God bless you all.

NOTE: The greeting was videotaped at approximately 4 p.m. in the Map Room on December 19 for later broadcast, and the transcript was made available by the Office of the Press Secretary on December 22 but was embargoed for release until 12:01 a.m., December 24. These remarks were also made available on the White House Press Office Actuality Line.

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Statement on Signing the Shark Finning Prohibition Act

December 26, 2000

I have signed H.R. 5461, the “Shark Finning Prohibition Act.” Shark-finning is the taking of a shark, removing the fin, and returning the carcass to the sea. This legislation prohibits shark-finning in all U.S. waters; provides for initiation of international negotiations to prohibit shark-finning; and authorizes research to conserve shark populations.

The Administration has actively supported the prohibition of shark-finning because of the harmful impact on sharks and shark populations. The practice has been administratively banned in the Atlantic Ocean, the Gulf of Mexico, and the Caribbean Sea. H.R. 5461 will establish the ban in law and extend it to the Pacific Ocean.

The United States has been a leading proponent of international shark conservation at the United Nations Food and Agriculture Organization and has advocated prohibiting wasteful fishing practices, including shark finning. We have also demonstrated considerable leadership in other international fora to conserve sharks and ban shark-finning. In the Eastern Pacific, the United States has been active in the Inter-American Tropical Tuna Commission in dealing effectively with issues such as shark management on the high seas. And the United States has been participating, along with thirty other countries, in the High-Level Multilateral Conferences for the Conservation and Management of Highly Migratory Species in the Western and Central Pacific. Finally, the United States plans to continue in its efforts at the International Commission for the Conservation of Atlantic Tunas to obtain a proposal that would ban shark-finning, as well as implement a variety of conservation measures.

Only through international cooperation can effective management be ensured for sharks, especially on the high seas. The United States will intensify efforts to convince other countries to join in prohibiting shark finning, consistent with the goals of H.R. 5461.

I note, however, that two provisions of the bill raise constitutional concerns. Because the Constitution vests the conduct of foreign

affairs with the President, Congress may not dictate the executive branch's negotiations with foreign governments (section 5). Because the Constitution preserves to the President the authority to decide whether and when the executive branch should recommend new legislation, Congress may not require the President or his subordinates to present such recommendations (section 6). I therefore direct executive branch officials to carry out these provisions in a manner that is consistent with the President's constitutional responsibilities.

William J. Clinton

The White House,
December 26, 2000.

NOTE: H.R. 5461, approved December 21, was assigned Public Law No. 106-557.

**Remarks on the Recess Appointment
of Roger L. Gregory to the United
States Court of Appeals for the
Fourth Circuit and an Exchange
With Reporters**

December 27, 2000

The President. Good afternoon, ladies and gentlemen. Thirty-nine years ago the great grandson of a slave became the first African-American to serve on the United States Court of Appeals for the Second Circuit. In 1961, amidst fierce opposition, President John F. Kennedy appointed Thurgood Marshall as only the second African-American to fill a vacancy on the U.S. Court of Appeals. In doing so, President Kennedy not only ensured that the people of the Second Circuit would be served by an excellent jurist; he also took a big step forward in America's ongoing efforts for equal opportunity in every aspect of our life, including our courts.

Judge Marshall went on to become one of our Nation's most distinguished jurists, highlighted by his 1967 appointment by President Johnson as the first African-American Justice of the United States Supreme Court.

President Kennedy's action was in the grand tradition of Presidents of both parties, dating all the way back to George Washington, who have used their constitutional

authority to bring much needed balance and excellence to our Nation's courts.

Four of the first five African-Americans to ascend to the appellate bench were initially appointed in the same fashion that I employ today. To fill a similar gap in our judicial system, I am honored today to announce my appointment of Roger Gregory, one of Richmond's most respected trial lawyers, to fill an emergency vacancy on the United States Court of Appeals for the Fourth Circuit. I will renominate him when Congress returns in January, and I urge the Senate to confirm him.

I take this extraordinary step for extraordinary reasons. First, the people of the fourth circuit are not receiving the judicial representation they deserve. The U.S. Judicial Conference has declared this seat a judicial emergency. It has been vacant for more than a decade. In the last 5 years alone, fourth circuit caseloads have increased more than 15 percent; yet one-third of its judgeships are vacant. This has left too many citizens waiting in line for justice. It is a travesty in a nation that prides itself in the fair and expeditious rule of law.

Second, it is unconscionable that the fourth circuit, with the largest African-American population of any circuit in our Nation, has never had an African-American appellate judge. As I said when I first nominated Roger Gregory, it is long past time to right that wrong. Justice may be blind, but we all know that diversity in the courts, as in all aspects of society, sharpens our vision and makes us a stronger nation.

Time and again, for 5 years now, I have tried and tried to fill these gaps in justice and equality. And time and again, for 5 years now, the Senate majority has stood in the way.

Third, and perhaps most important, Roger Gregory is the right man at the right time to fulfill this historic role. His life is a testament to the power and promise of the American dream.

The son of factory workers, he's the first in his family to graduate from high school, let alone college and law school. He graduated summa cum laude from Virginia State University and went on to earn his law degree from the University of Michigan Law School.